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PHILLIPS 66 COMPANY

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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11  
12 DEAN A. ROBBINS, ) Case No. 3:18-cv-00292-RS  
13 Plaintiff, )  
14 vs. ) **STIPULATION AND [PROPOSED] ORDER**  
15 PHILLIPS 66 COMPANY, ) **TO EXTEND CURRENTLY-SET**  
16 Defendant. ) **DEADLINES IN DISCOVERY ORDER**  
17

18 Plaintiff DEAN A. ROBBINS (“Plaintiff” or “Mr. Robbins”) and Defendant PHILLIPS 66  
19 COMPANY (“Defendant” or “Phillips 66”) (collectively, the “Parties”) by and through their  
20 respective counsel of record, hereby stipulate and agree as follows:

21 WHEREAS, on November 27, 2017, Plaintiff filed this lawsuit in the San Francisco Superior  
22 Court;

23 WHEREAS, on January 12, 2018, Defendant removed the action to this Court;

24 WHEREAS, on May 17, 2018, the Court set the current class certification briefing schedule:  
25 Plaintiff’s Motion for Class Certification due by March 13, 2019; Defendant’s Opposition to Motion  
26 for Class Certification due by April 17, 2019; Plaintiff’s Reply to Defendant’s Opposition to Motion  
27 for Class Certification due by May 1, 2019; and hearing on Plaintiff’s Motion for Class Certification  
28 on May 23, 2019 at 1:30 p.m.;

1           WHEREAS, on December 6, 2018 the Parties submitted a joint letter brief regarding a dispute  
2 relating to class-wide pre-certification discovery;

3           WHEREAS, on December 10, 2018 the Court ordered a telephonic discovery hearing on  
4 December 14, 2018 to address discovery issues with the Honorable Magistrate Judge Thomas S.  
5 Hixson;

6           WHEREAS, on December 14, 2018 the Parties participated in a telephonic discovery hearing  
7 before Judge Hixson;

8           WHEREAS, on December 17, 2018 Judge Hixson issued a Discovery Order directing, in part,  
9 that Defendant file by January 7, 2019 detailed declarations describing the burden of producing certain  
10 information and/or documents as specified in the Order, and also scheduling a January 9, 2019  
11 telephonic hearing to further discuss the issue of burden with respect to a number of Plaintiff's  
12 discovery requests (among other items);

13           WHEREAS, on December 21, 2018 the Parties submitted a joint scheduling stipulation  
14 seeking the following modified class certification briefing schedule: Plaintiff's Motion for Class  
15 Certification due by September 19, 2019; Defendant's Opposition to Motion for Class Certification  
16 due by October 31, 2019; Plaintiff's Reply to Defendant's Opposition to Motion for Class  
17 Certification due by November 14, 2019; and hearing on Plaintiff's Motion for Class Certification on  
18 December 12, 2019 at 1:30 p.m.;

19           WHEREAS, on January 2, 2019 the Court issued an Order granting the Parties' December 21,  
20 2018 stipulation granting a six-month extension for Plaintiff to file his motion for class certification  
21 ("six month extension");

22           WHEREAS, due to unavailability of witnesses since the Order was issued on December 17  
23 2018 and the six-month extension granted by Judge Seeborg for Plaintiff to file his motion for class  
24 certification, Plaintiff agrees to a three-week extension of all of the deadlines currently set forth in  
25 Judge Hixson's Order;

26           WHEREAS, in light of the foregoing, the Parties agree that good cause exists to extend the  
27 deadline for Defendant to file its declarations as ordered in Judge Hixson's December 17, 2018  
28 Discovery Order.

1           WHEREAS, in light of the foregoing, the Parties agree that good cause exists to extend the  
2 deadline for Defendant to file its declarations as ordered in Judge Hixson's December 17, 2018  
3 Discovery Order.

4           The Parties stipulate to the following:

5           1.       Defendant's deadline to file its declarations regarding burden is moved from January 7,  
6 2019 to January 28, 2019.

7           2.       Plaintiff's deadline to respond to the declarations is moved from January 8, 2019 to  
8 January 30, 2019;

9           3.       The telephonic hearing scheduled for January 9, 2019 is moved to February 1, 2019 at  
10 10:00 a.m. Counsel shall call the following phone number: 1-888-684-8852/Access Code: 2925506.

11           4.       With respect to Interrogatory No. 1, all deadlines are extended by three weeks.

12           5.       The deadline for Phillips to serve amended responses to the other interrogatories where  
13 the Court orders a response is extended from January 31, 2019 to February 21, 2019.

14           IT IS SO STIPULATED.

15  
16 DATED: January 7, 2019

SETAREH LAW GROUP

17           \_\_\_\_\_  
18           /s/ *Thomas Segal*  
19           SHAUN SETAREH  
20           THOMAS SEGAL  
21           FARRAH GRANT  
22           ASHLEY N. BASITSE  
23           Attorneys for Plaintiff  
24           DEAN A. ROBBINS

25  
26 DATED: January 7, 2019

KEESAL, YOUNG & LOGAN

27           \_\_\_\_\_  
28           /s/ *Ian Ross*  
29           LISA M. BERTAIN  
30           IAN ROSS  
31           KEESAL, YOUNG & LOGAN  
32           Attorneys for Defendant  
33           PHILLIPS 66 COMPANY

**FILER'S ATTESTATION:**

Pursuant to Civil Local Rule 5-1 (i)(3), I hereby attest that concurrence in the filing of this document has been obtained.

DATED: January 7, 2019

## KEESAL, YOUNG & LOGAN

/s/ Ian Ross  
LISA M. BERTAIN  
IAN ROSS  
KEESAL, YOUNG & LOGAN  
Attorneys for Defendant  
PHILLIPS 66 COMPANY

## **[PROPOSED] ORDER**

Pursuant to the Parties' stipulation, and good cause being shown, **IT IS SO ORDERED.**

4 DATED: January 7, 2019

T. Hixson  
HONORABLE JUDGE HIXSON